

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ERIC PASSMAN and ISHMAEL
ALVARADO, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

PELOTON INTERACTIVE, INC.,

Defendant.

Case No. 1:19-CV-11711-LJL

**ORDER GRANTING JOINT MOTION
AND STIPULATION STAYING
DISCOVERY PENDING RESOLUTION
OF PLAINTIFFS' PETITION FOR
LEAVE TO APPEAL THE COURT'S
MAY 2, 2023, ORDER DENYING CLASS
CERTIFICATION TO THE UNITED
STATES COURT OF APPEALS FOR THE
SECOND CIRCUIT**

LEWIS J. LIMAN, United States District Judge:

1. Pursuant to the Parties May 11, 2023, stipulation:
 - a. all discovery in this matter is stayed pending the United States Court of Appeals for the Second Circuit's (the "Second Circuit") ruling on Plaintiffs' petition pursuant Rule 23(f) of the Federal Rules of Civil Procedure seeking leave to appeal this Court's denial of their motion for class certification ("Plaintiffs' 23(f) Petition").
 - b. the Plaintiffs and Defendant Peloton Interactive, Inc. (together, the "Parties") will meet and confer within seven days of the Second Circuit's resolution of Plaintiffs' Rule 23(f) Petition to determine whether any additional merits discovery (including expert discovery) is needed.
 - c. the Parties will submit a proposal to the Court within fourteen days following the Second Circuit's resolution of Plaintiffs' Rule 23(f) Petition.
 - d. all discovery shall be completed within 113 days of the Second Circuit's resolution of Plaintiffs' Rule 23(f) Petition.

SO ORDERED.

Dated: May 17, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge